

REMARKS

Claims 1-41 are pending in the application and are subject to restriction/election. Claims 6-9, 11, 13, 15, 17, 19, 20, 22, 23 and 25-41 have been amended to correct the dependencies of the claims. Claim 17, which depends from claim 16, has also been amended to correct the genus of the insects of order Hymenoptera.

I. Restriction Requirement

The Examiner has required Applicant under 35 U.S.C. §121 to elect a single disclosed species of insect, such as one of those recited in claims 6, 8, 9, 11, 13, 15, 17, 20, 23, 26, 27, 28, 30, 32, 33, 37, 39 and 41.

Applicant elects *Libellula quadrimaculata* with traverse. Claims 1-4, 7 and 8 read on the elected insect. Claims 1-3 are generic.

Applicant traverses the restriction requirement. The Examiner states that the individual insects have acquired a separate status in the art. However, the Examiner has not identified the different classes or subclasses that would have to be searched. Furthermore, the Examiner has not shown how the individual insects form a separate subject for inventive effort by inventors. The Examiner has provided no factual basis or reasoning to support his conclusion that the individual insects have been shown to be distinct.

Applicant respectfully submits that there is no serious burden on the Examiner if restriction is not required. The species have been searched and examined together in the PCT application for which the present application is a national phase filing. Applicant requests reconsideration and withdrawal of the restriction requirement.

CONCLUSION

Should the Examiner feel that a telephone interview would be helpful to facilitate favorable prosecution of the above-identified application, the Examiner is invited to contact the undersigned at the telephone number provided below.

Should a petition for an extension of time be necessary for the timely reply to the outstanding Office Action (or if such a petition has been made and an additional extension is necessary), petition is hereby made and the Commissioner is authorized to charge any fees (including additional claim fees) to Deposit Account No. 18-0988.

Respectfully submitted,

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